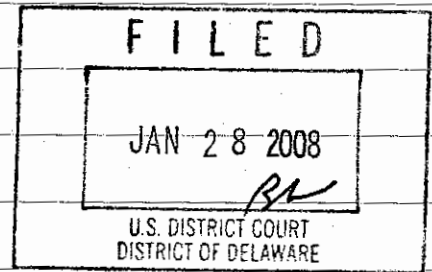


TO: Clerk - Peter Dalles

FROM: GLEN DUCOTE
Delaware CORR. Ctr.
1181 Riddick Rd.
Smethway, DE 19977



DATE: JAN. 19, 2008.

RE: DUCOTE v BUKAIS; BIDENTI CIV. A. NO. 07-374-GMS

Dear Mr. Dalles or Clerk, PLEASE RESPOND!

1) I'm a Petitioner for Federal Habeas Corpus Relief under 28 USC § 2254. The State Respondents Answered the Petition and upon receipt, I filed a Motion To EXTEND THE TIME to file a Traverse and Reply on or about Dec. 16, 2007.

To date, 1-19-2008, I still have not heard any Reply from this Court, I also served a copy upon Respondents!

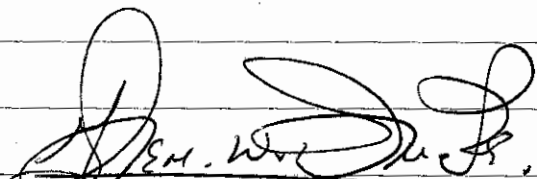
2) I am enclosing another copy of the Motion I filed because it appears either this Court did not receive it, or it has been misplaced. Please respond to this averment, (Thank you)

3) Could you please see that it is filed.

4) Could you also send me a Court Docket sheet of my case. (I filed under Forme Panzeris, the Courts have ruled that an indigent inmate does not have to pay for his docket sheet)

5) Any further assistance within your duties would be greatly appreciated.

Thank you,


Glen Ducote 1-24-08

IM 6LEN DUPLICATE
SBI# 210611 UNIT 22-8
DELAWARE CORRECTIONAL CENTER
1181 PADDOCK ROAD
SMYRNA, DELAWARE 19977

NATIONAL

United States Federal Court

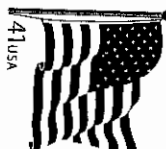
DISTRICT OF DELAWARE

FEDERAL BUILDING

844 KING STREET, LOCKBOX 19

Wilmington, DE 19801

LE6ML MAIL



COPY

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

GLEN W. DUCOTE,

Petitioner

v.

Civ. Act. No. 07-374-GMS

ELIZABETH BURRIS, Acting

Warden and JOSEPH R. BIDEN

III, Attorney General for the
State of Delaware.

Respondants.

PLAINTIFF'S MOTION FOR EXTENTION OF TIME TO
FILE HIS TRAVERSE AND REPLY MEMORANDUM
TO RESPONDANTS ANSWER TO PETITION.

Plaintiff moves for an order under Rule 6 of F.R.C.P.
to extend the time to file a Traverse and Reply Memorandum
disputing contentions made in Respondants Answer to Petition.
Plaintiff offers the following:

1. Petitioner, Glen Ducote has applied for federal habeas
relief under § 2254. Respondants filed their Answer, (DI 14)
to Petition on November 16, 2007. Plaintiff recieved his copy
on November 20, 2007.

Ducote v Burris, C.A. 07-374-GMS

2. Under § 2254 Petitioner may file a Traverse and Reply Memorandum to Respondants Answer.

3. Petitioner disagrees that the grounds are procedurally defaulted according to federal habeas law and procedure.

4. Petitioner also disagrees with the State Courts factual and legal determinations as adopted by the Respondants answer.

5. Petitioner believes that a Traverse and Reply Memorandum would serve to benefit the economy of this Court at this stage of proceedings by giving Petitioner opportunity to unite Points raised in Petition to applicable legal principles and procedure and clarify relevant facts from the record to assist this Court in its endeavor to focus on the real issues at controversy.

6. Because of the Holiday Season and how library "cycle" in ordering - returning cases "5 per 5 basis" Petitioner anticipates having to cover § 2254 procedural authorities; Ineffective Assistance of Counsel constituting "cause" in § 2254 and State Rule 61 procedure; Cause and prejudice stds; Miscarriage of Justice gateways based on court procedure and actual innocence of the degree of charged offense; and other legal aspects material to these issues Respondants raised in Answer.

Ducote v Burris, C.A. 07-374-GMS.

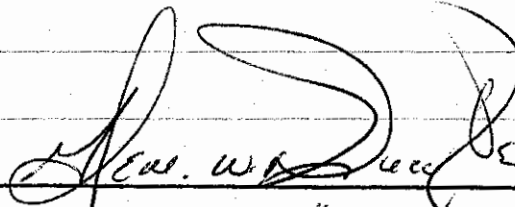
7. External factors also include: Petitioner was just transferred to MHU section of DCC prison and his property including legal materials has "been misplaced" or "lost" by prison property officers; Petitioner is currently without his prior research materials and now must begin a new study from ground zero; Respondants have cited approx. 40 cases in their Answer, the MHU law library "cycle" is normally 5-10 days excluding holidays for each 5 case batch. In addition, Petitioner anticipates extra time to make notations and compare Sheppardized cases to these citations; The 40 cases alone will probably take 80 to 100 days to process and to Sheppardize these cites (the key watershed cases) will be at least that same period, another 80-100 days. Petitioner anticipates at least 180 days to formulate his Reply Memorandum to the point it would be "useful" in pointing up the procedural default exceptions contained in his case.

8. Given the fact that Respondants must still produce court records and Respondants regularly request at least 6 months in these habeas cases for extensions of time, Petitioner believes that an extension of time to May 20, 2008 is reasonable and Respondants will not be prejudiced.

Ducote v Burris, C.A. 374- GMS

WHEREFORE, Plaintiff respectfully requests
this Court Grant his request for an extension of time
to May 20, 2008.

Dated: 12/9/07


Glen W. Ducote #210611
Delaware Correctional Center
1181 Paddock Road
Smyrna, DE 19977

Rule 7.1.1. Certification

I certify that when attempting to use a telephone that can
call 577-8500 to Kevin Carroll's Office, DCC Administrators
promptly denied access so I could not obtain consent from
Respondents

 1-24-08
Glen W. Ducote

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

GLEN W. DUCOTE,
Petitioner,

v

ELIZABETH BURRIS, Acting
Warden and JOSEPH R. BIDEN
III, Attorney General for the
State of Delaware,
Respondents.

Civ. Act. No. 07-374-GMS

ORDER

This _____ day of _____, 200____,

WHEREAS, Petitioner Glen W. DuCote having requested
an extension of time in which to file an answer, and

WHEREAS, it appearing to the Court that the requested
extension is timely made and in good cause has been
shown for the extension.

IT IS HEREBY ORDERED that Petitioner's Traverse
and Reply Memorandum are to be filed on or before
May 20, 2008.

United States District Judge

(Order)

Certificate of Service

I, Glen DuCote, hereby certify that I have served a true and correct cop(ies) of the attached: Plaintiff's Motion for Extension of Time To file his Traverse and Reply Memorandum upon the following parties/person (s):

TO: Kevin M. Carroll, Esquire
Deputy Attorney General
Dept. of Justice
820 N. French St.
Wilmington, DE 19801

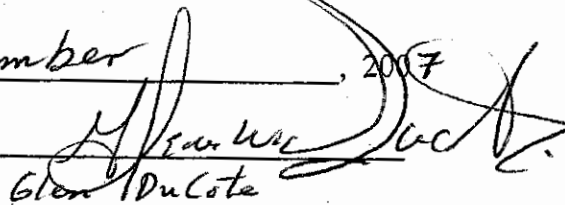
TO: _____

TO: _____

TO: _____

BY PLACING SAME IN A SEALED ENVELOPE and depositing same in the United States Mail at the Delaware Correctional Center, Smyrna, DE 19977.

On this 9th day of December, 2007


Glen DuCote

(Cert. of Service)